
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

ANA MARIA RAVINES de SCHUR, et al.,

Plaintiffs,

v.

LORI BERNTSEN and COLEMEN
PLUMMER,

Defendants.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Case No. 2:22-cv-13

District Judge David Barlow

Magistrate Judge Daphne A. Oberg

The Report and Recommendation issued by United States Magistrate Judge Daphne A. Oberg recommends that the court dismiss Plaintiffs' complaint with prejudice pursuant to 28 U.S.C. § 1915(e) because Plaintiffs have failed to state a claim for which relief can be granted.¹ The parties were notified of their right to file objections to the Report and Recommendation within 14 days of its service pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72. No party filed an objection.² Because no party filed a written objection to the Report and Recommendation by the specified deadline, and because the Magistrate Judge's analysis and conclusions are sound, the court ADOPTS the Report and Recommendation.

¹ ECF No. 29, filed 04/07/2022.

² After the deadline for filing objections passed, Plaintiffs filed what they characterized as an "amended complaint" along with exhibits. *See* ECF Nos. 33–35. These filings not only contain no objections to the R&R, but also are without legal effect. Because the court ordered Plaintiffs to file any amended complaint February 18, 2022, the "amended complaint" Plaintiffs filed was untimely. *See* ECF No. 14. In any event, Plaintiffs' "amended complaint" does nothing to cure the deficiencies of Plaintiffs' original complaint Judge Oberg identified in her R&R. *See* ECF No. 29.

Accordingly, Plaintiff's action is DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. § 1915(e).

Signed April 29, 2022.

BY THE COURT



David Barlow
United States District Judge